

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

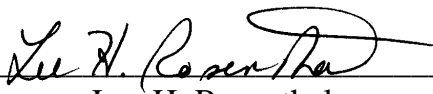
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|------------------------------|---|----------------------------|
| JAMES AND SANDRA LINDQUIST, | § | |
| | § | |
| Plaintiffs, | § | |
| | § | |
| VS. | § | CIVIL ACTION NO. H-06-1975 |
| | § | |
| THE CITY OF PASADENA, TEXAS, | § | |
| | § | |
| Defendant. | § | |

ORDER

The parties have moved for the entry of a protective order. Rule 26(c) of the Federal Rules of Civil Procedure permits a district court to enter a protective order on a showing of good cause. It is well established that “[t]he party seeking a protective order [under Rule 26(c)] has the burden of showing that good cause exists for issuance of that order.” *Gambale v. Deutsche Bank AG*, 377 F.3d 133, 142 (2d Cir.2004) (quoting *In re “Agent Orange” Product Liability Litigation*, 821 F.2d 139, 145 (2d Cir.1987)); *see also Condit v. Dunne*, 225 F.R.D. 113, 115 (S.D.N.Y.2004). In the absence of such a protective order, “parties to a law suit may disseminate materials obtained during discovery as they see fit.” *Jepson, Inc. v. Makita Electric Works, Ltd.*, 30 F.3d 854, 858 (7th Cir.1994); *see also San Jose Mercury News v. U.S. District Court–Northern District (San Jose)*, 187 F.3d 1096, 1103 (9th Cir.1999); *Public Citizen v. Liggett Group, Inc.*, 858 F.2d 775, 789 (1st Cir.1988); *Agent Orange*, 821 F.2d at 145-46.

The parties have submitted a proposed protective order but have not information as to what will be designated as confidential or shown good cause for the entry of a protective order. The parties may file a supplemental motion by January 9, 2009, explaining why the proposed protective order should be entered.

SIGNED on December 23, 2008, at Houston, Texas.



Lee H. Rosenthal
United States District Judge